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**MARCI M. WALDRON**

CLERK

**UNITED STATES COURT OF APPEALS**

FOR THE THIRD CIRCUIT  
 21400 UNITED STATES COURTHOUSE  
 601 MARKET STREET  
 PHILADELPHIA 19106-1790

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HARRISBURG *Clerk of District Court*  
 (District)

Date October 12, 2004

BRANCH V. D.O.C. JOHN DOES  
 (Caption)

C. of A. No(s). 04-3224

WILLIAM BRANCH  
 (Appellant(s)/Petitioner)

00-CV-01728  
 (D.C. No.)

Enclosures:

10/12/04 Certified copy of C. of A. Order by the **Court/Clerk**:  
 (Date)

           Released (Record) (Supplemental Record - First - Second - Third)

xxxx Copy of this form to acknowledge receipt and return to C. of A.

           Record not released at this time until appeal(s) closed at No.(s) \_\_\_\_\_

           Please forward Certified List in Lieu of Record to this office.

           The certified copy of order issued as the mandate on \_\_\_\_\_  
 is recalled.

/s/ Aina R. Laws (267)-299-4957  
 AINA LAWS: Deputy Clerk

Receipt Acknowledge:

\_\_\_\_\_  
 (Name)

\_\_\_\_\_  
 (Date)

Rev. 3/13/00

Appeals (Certified List in Lieu of Record)

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

**No. 04-3224**

Branch v. D.O.C. John Does  
(M.D. Pa. No. 00-cv-1728)

To: Clerk

- 1) Appellant's Letters Dated August 12, 2004, September 2, 2004 and September 6, 2004

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To the extent that the appellant moves to amend the caption of the above-entitled appeal, that motion is denied. The appeal is dismissed because the filing and docketing fees have not been paid nor has a motion to proceed in forma pauperis filed. Third Circuit Local Appellate Rules 3.3 and Misc. 107.1.

Insofar as appellant questions whether the notice of appeal was properly docketed, this is an issue which must be resolved since it concerns that Court's docket. This Court must docket an appeal in the manner in which the district court certifies it.

A True Copy:

  
Marcia M. Waldron,  
Clerk

For the Court,

/s/ Marcia M. Waldron  
Clerk

Dated: October 12, 2004

ARL/cc: WB; ASG; GTM